IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND SIX

PRESENT

**THE HON'BLE MR JUSTICE J.CHELAMESWAR**
**AND**
**THE HON'BLE MR JUSTICE G.BHAVANI PRASAD**

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**WRIT PETITION No.16031 OF 2006**

Between:

T.Mallesu, S/o.T.Peddanna.

**..... PETITIONER**

AND

The Regional Transport Authority,
Transport Department,
Government of A.P., Kadapa,
Kadapa Dist, and another.

**....RESPONDENTS**

**THE HON'BLE MR JUSTICE**
**J.CHELAMESWAR**
**AND**
**THE HON'BLE MR JUSTICE**
**G.BHAVANI PRASAD**

**WRIT PETITION No.16031 OF 2006**

**O R D E R**
**(Per Sri Justice J.Chelameswar)**

**This Writ Petition is filed with a prayer as follows:**

> **"… Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in seizing the vehicle No.AP 21-U-9222 (Piaggio(AP-1) vide vehicle check report No.1727080 dt.15.06.2006 on false grounds and demanding amounts of tax and compounding fee without enquiry as bad, arbitrary and illegal and against the principles of natural justice and consequently direct the respondents to release the vehicle of the petitioner bearing No.AP 21-U-9222 (Piaggio(AP-1) and to pass …"**

**The petitioner claims to be the owner of the vehicle bearing No.AP 21-U-9222, which was seized by the 2nd respondent on 15.06.2006 as the 2nd respondent allegedly noticed certain irregularities which are noted in the seizure memo as follows:**

1. **"1. No permit and QE tax to 30.09.2004, 31.12.2004, 31.03.2005, 30.06.2005, 30.09.2005, 31.12.2005, 31.03.2006 and 30.06.2006.**

**2. No DL, 3.No PUC, 4. FC, 5.No IC"**

**Hence, the present writ petition.**

**Heard the learned Government Pleader.**

**In the circumstances, we are of the opinion that the writ petition can be disposed of at the admission stage itself by directing the respondents to release the vehicle on payment of the tax due without prejudice to the enquiry to be conducted and appropriate further action in accordance with law.**

**With the above direction, the writ petition is disposed of.**

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**JUSTICE J.CHELAMESWAR**

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**JUSTICE G.BHAVANI PRASSAD**

**1ST AUGUST, 2006**

**NOTE**: Issue copy by tomorrow.

**(B/O)PGS**

**THE HON'BLE MR JUSTICE**
**J.CHELAMESWAR**
**AND**
**THE HON'BLE MR JUSTICE**
**G.BHAVANI PRASAD**

**WRIT PETITION No.16031 OF 2006**
**(Per Sri Justice J.Chelameswar)**

**1ST AUGUST, 2006**